

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
3:21-cv-248-MOC**

**DIANA RODRIGUEZ,**

**Plaintiff, pro se,**

**v.**

**WELLS FARGO BANK, N.A.**

**Defendant.**

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**ORDER**

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This matter is before the Court on the pro se Plaintiff's two separate Motions to Compel. (Doc. Nos. 52, 53). Defendant has filed responses to the motions to compel. For the reasons stated in Defendant's briefs, the motions are both **DENIED**.

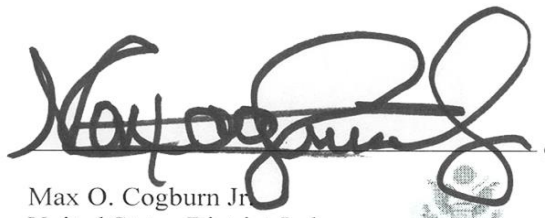
As to Plaintiff's first motion to compel, Plaintiff seeks an order compelling Defendant to respond to Plaintiff's Third Revision of the First Set of Interrogatories, and for Defendant to answer, under oath, in accordance with Rule 33 of the North Carolina Rules of Civil Procedure. As Defendant explains in its response, Plaintiff's Motion to Compel is procedurally improper. Plaintiff has failed to submit a copy of the disputed discovery responses and has failed to comply with Federal Rule of Civil Procedure 37(a)(1) and Local Civil Rule 7.1. Furthermore, Defendant's verification of its responses to Plaintiff's Third Revision of the First Set of Interrogatories ("Interrogatories") was sufficient under Federal Rule of Civil Procedure 33(b)(3). Defendant has also properly objected to and sufficiently responded to Plaintiff's Interrogatories. For all these reasons, Plaintiff's first motion to compel is denied.

As to Plaintiff's second motion to compel, Plaintiff seeks an order compelling Defendant to respond to Plaintiff's Second Request for Production of Documents. As Defendant explains in

its response, Plaintiff has failed to comply with Federal Rule of Civil Procedure 37(a)(1) and Local Civil Rule 7.1. Additionally, Plaintiff's Requests for Production of Documents ("Requests") are impossibly broad, not stated with reasonable particularity as required under Federal Rule of Civil Procedure 34(b)(1), not proportional to the needs of this case pursuant to Federal Rule of Civil Procedure 26(b)(1), and fail to take into consideration this Court's Order issued on September 16, 2021. Defendant has also properly objected to and answered Plaintiff's Requests and Defendant intends to supplement its responses. For all these reasons, Plaintiff's second motion to compel is denied.

**IT IS THEREFORE ORDERED** that Plaintiff's Motions to Compel Discovery Requests, (Doc. Nos. 52, 53), are both **DENIED**.

Signed: March 28, 2023



Max O. Cogburn Jr.  
United States District Judge